

ROYAL MUSICALE.

Their Majesties the King and Queen
Give the First of a Series of Entertainments at the Palace—A Fine Programme.

Tuesday evening Their Majesties the King and Queen gave the first of a series of musicales at Iolani Palace. It was held in the blue room which was most tastefully decorated with potted ferns and palms, and flowers. The folding doors between the blue room and the dining hall were thrown open, and chairs placed in the latter room were occupied by the invited guests. On one side of the blue room stood the grand piano. The arrangements which had been made for the entertainment of the guests were of the most perfect order and showed in all their details that Mr. James W. Robertson, H.M.'s Vice-Chamberlain, must have worked hard, and he is entitled to much credit. Col. G. W. Macfarlane, H.M.'s Chamberlain, was most assiduous in his attention to those present during the evening, making the occasion a most enjoyable one throughout. It certainly was a delightful affair, the music was excellent and Their Majesties were most affable to all. One interesting feature was the display of the feather cloaks in the Throne room. The whole interior of the Palace was brilliantly illuminated with the electric light. Mrs. James W. Robertson was in attendance on the Queen. Many of the toilets worn by the ladies were elegant. Col. Macfarlane presented the guests to Their Majesties before the musicale commenced.

Those present were: Their Majesties the King and Queen, H. R. H. Princess Liliuokalani, Hon. A. S. Cleghorn, Col. G. W. Macfarlane, H.M.'s Chamberlain, Mr. Jas. W. Robertson, H.M.'s Vice-Chamberlain, and Mrs. Robertson, Hon. J. L. Stevens, U. S. Minister Resident, and Mrs. Stevens, the Misses G. S. and N. M. Stevens, Major J. H. Wodehouse, H. B. M.'s Commissioner, and Mrs. Wodehouse, Miss E. Wodehouse, Mons. G. B. d'Anglade, French Commissioner, Senhor A. de Souza Canavarro, Portuguese Commissioner, and Mrs. Canavarro, Hon. John A. Cummins, Rev. Alex. and Mrs. Mackintosh, Miss von Holt, Capt. F. McCurley and Lieut. Davenport and Fillette of the U. S. S. Nipsic, Capt. St. Claire and Lieut. Colmore and Kennedy of H. B. M. S. Champion, Mr. and Mrs. J. H. Paty, Mrs. S. A. Gilman, Mr. and Mrs. J. A. Gilman, Mrs. Caverly, Mr. and Mrs. F. A. Schaefer, Mr. and Mrs. H. R. Macfarlane, Mr. and Mrs. O. Carter, Mr. and Mrs. G. E. Boardman, Mrs. J. I. Dowsett, Mr. and Mrs. G. D. Freeth, Prof. and Mrs. Sauvet, Mr. and Mrs. W. W. Dimond, Mr. and Mrs. A. F. Matschke, Mrs. H. Gillig, Mr. and Mrs. F. S. Dodge, Mr. and Mrs. J. S. R. S. Kynersey, Mr. and Mrs. Wray Taylor, Mr. and Mrs. W. H. Purvis, Mr. and Mrs. J. F. Brown, Mr. and Mrs. C. W. Macfarlane, Mr. and Mrs. Joseph Hyman, Mrs. F. M. Hatch, Mrs. A. W. Peterson, Mr. and Mrs. F. W. Macfarlane, the Misses Jessie Kaufman, Paty, Caverly, Carter (2), Dowsett (2), Musgrave, Randall, Patch, Pepon, Rolston, Davis, Crouch, Middeldyk, Hattie Hyman and May Cummins; Hon. E. C. Macfarlane and J. W. Kalua, Messrs. R. A. van Middeldyk, C. N. Spencer, Major Seward, H. Berger, H. Widemann, J. H. Boyd, F. S. Unger, Geo. Nagle, Alfred Fowler, A. Herbert, R. C. Montague, Capt. H. C. Houdlette, Edw. A. Keil, Dr. Soule, Robt. Hokstetter, W. B. Wood, Sheffield Phelps, W. T. Monarrat and F. B. Brandegee.

The programme was as follows:

- PART I.
1. Overture—The Knight of Breton..... Herman
 2. Royal Hawaiian String Orchestra.
 3. Duet—Greeting..... Mendelssohn
 4. Mrs. J. F. Brown and Miss Patch.
 5. Piano Solo—Kapiolani Gavotte. Sauvet
 6. Dedicated to Her Majesty Kapiolani by Prof. G. Sauvet.
 7. Song—Serenade..... Schubert
 8. Mrs. W. W. Dimond.
 9. Waltz—Hale Naua..... Sauvet
 10. Dedicated to His Majesty King Kalakaua by Prof. G. Sauvet.
 11. Song—Call Me Back..... Denza
 12. Mrs. J. H. Paty.
 13. Selection—Il Trovatore..... Verdi
 14. Royal Hawaiian String Orchestra.
 15. Intermission.
- PART II.
1. Overture—Regina..... Bouillon
 2. Royal Hawaiian String Orchestra.
 3. Song—The Children's Home..... Cowen
 4. Miss Middeldyk.
 5. Piano Solo—Kalakaua Gavotte..... Sauvet
 6. Dedicated to His Majesty King Kalakaua by Prof. G. Sauvet.
 7. Song—(a) Inappetence..... Schubert
 8. (b) They All Love Jack..... Adams
 9. Mr. R. C. Montague.
 10. Duet for Piano—Martha..... S. Smith
 11. Prof. G. Sauvet and Master Hermann Widemann.
 12. Song—Waltz..... Gumbert
 13. Mrs. W. W. Dimond.
 14. Finale—Kindred Souls..... Ellenberg
 15. Royal Hawaiian String Orchestra.

The four numbers by the orchestra under the direction of Prof. Berger were excellently performed, and their playing shows much improvement since last heard in concert. The duet by Mrs. Brown and Miss Patch was rendered with much sweetness and taste. Prof. Sauvet's three numbers and his accompaniments during the evening stamp him as a pianist of great ability. At times the piano was a trifle too loud for the singers. Mrs. Dimond has a really fine voice and she knows how to use it. Her low tones especially are rich and most enjoyable to listen to. Both numbers were enthusiastically applauded. When Mrs. Paty took her place near the piano much pleasure was felt by her audience, for she is rarely heard in public now. Her sweet voice has a charm

about it and on this occasion she sang beautifully. A new singer appeared at the musicale, Miss Middeldyk, a young lady with a soprano voice of nice quality and showing signs of being well trained. Miss Middeldyk is quite an acquisition to our musical circles. Mr. Montague gave his two songs with capital effect displaying a baritone voice of good quality. The piano duet by Master Widemann and Prof. Sauvet was well played.

Refreshments were served between the two parts and also at the end of the programme. Before breaking up there was a dance or two in the throne room.

MAUI NOTES.

On Saturday afternoon at 1 p. m. occurred the fifth monthly medal shoot of the Maui Rifle Association. The wind was blowing very briskly at Kalauni Range, and consequently bull-eyes were things of great uncertainty. Mr. N. Ormstead secured the first medal by a score of 40, Mr. J. G. Anderson the second by a score of 38, and Mr. W. von Graevemeyer the third by making 33 points. The attendance was poor owing to the fact that quite a number of our enthusiastic riflemen were absent from the island.

The Ladies' Aid Society gave their monthly "Social and Literary" at the Makawao Foreign Church last Thursday evening. The programme was short, but much appreciated. The Misses Stiles rendered a duet in a charming manner, their voices being very rich in tone and most melodious.

Rev. E. P. Baker of Hilo delivered a very instructive sketch on his favorite study—volcanoes. He holds the theory that the cause of volcanoes was the heat generated by the cooling of the earth's interior. The lecture was illustrated by some excellent diagrams kindly loaned by Mr. Frank Damon of Honolulu. Cake and lemonade terminated a most pleasant evening.

Makawao, May 2, 1890.

Moonlight Excursion.

A wagonette drawn by four lively horses, conveyed a party of twelve ladies and gentlemen to the Pali on Tuesday evening. On the way up, the carriage was stopped at the Electric Light Station, and the whole party alighted, and were shown through the buildings. Mr. Lockwood the superintendent with his usual kindness, answered all questions, and his guests were much gratified by what they saw, and left with many expressions of thanks. After a rapid drive, during which the hills re-echoed the songs that were sung, the Pali was reached. The new road over the Pali is a vast improvement, and the stone wall is not only an excellent thing for safety, but will add much to the appearance of the road. Although the atmosphere was a little hazy, a good view was had from the gap, and the lights of Kaneohe and Hea twinkled brightly in the distance.

Amid gay laughter and bursts of songs, a bountiful lunch was disposed of, and the ride home in the bright moonlight was very enjoyable. As there is "no picnic without rain" a little shower was added to the other pleasure. The party reached home just at midnight, having spent a delightful evening. The excursion was in honor of Mrs. A. R. Altman who leaves with her daughter for the States on the Australia.

Sale of Shares and Bonds.

There was quite a large attendance at Mr. James F. Morgan's auction rooms Monday noon, when he offered shares and Government bonds for sale. The total amount realized was \$19,025, the sale resulting as follows:

One \$5,000 Government 6 per cent. bond sold to Mr. Andre at \$110.50—total, \$5,525; one ditto to Mr. Linderman at \$109—total, \$5,450. Twenty-five shares of the Inter-Island Steam Navigation Co.'s stock sold to V. Knudsen at \$158, and ten at the same figure to F. Ordwood; one share Kapiolani Park Association stock to T. S. Douglas for \$15; ten shares of Hawaiian Agriculture Co., bid in, at \$150; fifty Hawaiian Tramways Co., to order, at \$7; five shares of Wilder Steamship Co. to Mr. Linderman at \$181. One hundred shares of Hawaiian Investment Co.'s stock and ten Ooaka Plantation were withdrawn.

The U. S. S. Charleston.

At the close of an interesting article upon this noted ship in the San Francisco News Letter of April 12th, occurs the following sentence which we republish as a pleasant endorsement of the justly popular insurance company therein referred to which cannot fail of being of interest to its many friends in Hawaii.

"The Charleston was insured for \$400,000 in the Fireman's Fund Insurance Company, loss if any payable to the United States Government. The placing of this large amount with our leading local company was most gratifying, and shows the esteem in which it is held."

Accompanying the article is a very handsome full page autotype presentation of the Charleston from a photograph by Britton & Rey of San Francisco, and for sale at the Hawaiian News Company.

Supreme Court of the Hawaiian Islands, April Term, 1890, in Banco.

BEFORE JUDD, C. J., M'GULLY AND BICKERTON, J. J. DOLE, J. ASSENT.
E. B. THOMAS VS. G. B. NORTON.

Petition for writ of quo warranto. The provisions of the Act "Relating to the Fire Department of Honolulu," approved September 6, 1888, constitute the Board of Representatives of the Fire Department the judges of the validity of elections of officers of the department. The writ of quo warranto will not lie to inquire into the validity of the election of First Assistant Engineer. Demurrer to petition sustained and writ quashed.

OPINION OF THE COURT PER JUDD, C. J.
We have examined this case and the well presented arguments of counsel on both sides and have come to the conclusion that the demurrer should be sustained and the writ quashed on the ground stated by Mr. Justice Bickerton in his opinion dated the 14th January, 1890.
Honolulu, May 1, 1890.

OPINION OF MR. JUSTICE BICKERTON APPEALED FROM.

The petitioner prays that a writ of Quo Warranto do issue directed to said George B. Norton enquiring by what authority he claims to hold the office of First Assistant Engineer of the Fire Department, and directing him to file his answer within the time limited by said writ; that upon due hearing the election for said Assistant Engineer may be declared illegal, null and void, and the said Norton adjudged to have usurped said office and be ousted from the same, etc., etc.

The defendant denies the plaintiff's petition on the following grounds: "1st. Because the Board of Representatives of said Fire Department are by law the judges of the validity of elections of officers of the Fire Department."

2d. Because the complainant has not set out in his petition any facts which will support the same.

3d. Because the remedy by Quo Warranto is given by statute only in cases of corporations."

And files a motion to quash the Writ as follows: "Said defendant moves to quash the writ issued in the above named proceedings for the reason that there is no authority of law for the issue of the same."

This matter has been very fully argued by counsel on both sides, and shows that a great deal of work and research has been done by plaintiff's counsel to sustain his position.

I have given this matter very full and careful consideration, and have come to the conclusion that the case must be decided and disposed of on the first ground of demurrer, viz.: That the Board of Representatives of the said Fire Department are by law the judges of the validity of elections of officers of the Fire Department.

The Act of 1888 relating to the Fire Department of Honolulu is the law under which this ground comes. Section 4 reads: "The elections provided for in Section 2 of this Act shall be conducted in such manner as the by-laws of the Department shall prescribe. In case there shall be no election, or any office shall become vacant the Minister of the Interior shall direct a new election." etc., etc.

Section 10 provides that the Board of Representatives shall have power "to hear and determine appeals from decisions of company matters and other appeals, and make rules and regulations in all matters of appeal." Also "to make all necessary rules and regulations for the holding of any election or elections under this Act, to make rules, by-laws and regulations for the Fire Department and for carrying out the provisions of this Act."

These sections certainly give the Fire Department full power to do all things necessary for the holding, conducting, and determining the result of elections, and must of necessity include the power to decide who is elected, where there is any dispute. The Board of Representatives do not reside at the elections. The secretary is chairman at the election for engineers with two tellers to assist him at the polls. (Section 8, By-laws.) It cannot be contended that his decision is final. If the chairman's decision is not satisfactory, or there are irregularities, or fraud in the voting, there must be an appeal from him. The question is to whom? It can only be to the Board of Representatives, for the Act provides that they shall hear and determine not only appeals from decisions in company matters, but all other appeals, and make rules and regulations in all matters of appeal. If it had been the intention of the Legislature to have only provided for appeals in company matters, they would not have made these other sweeping provisions. It is clear to me the Legislature intended to give and have given the Board of Representatives full power to act in all these matters. What can be clearer than the language used in the latter part of Section 10? Viz.: "to make all necessary rules and regulations for the holding of any election or elections under this Act, to make rules, by-laws and regulations for the Fire Department, and for carrying out the provisions of this Act."

One of the provisions of the Act is that there shall be a chief engineer and two assistants, to be elected biennially. * * * Under Section 4, in case of no election, the Minister of Interior shall direct a new elec-

tion. * * * It could not be said the Minister of Interior could say there was no election. Then who has the authority? It is clear to me that the Board of Representatives only has that authority under the Act, and all appeals in election matters must go to them, and they must decide.

"Statutes must be interpreted according to the intent and meaning, and not always according to the letter."

"A thing within the intention is within the Statute."

"Statutes should be interpreted according to the most natural and obvious import of their language."

"In construction of a Statute, every part of it must be viewed in connection with the whole, so as to make all its parts harmonize if practicable and give a sensible and intelligent effect to each."

"Every Legislative Act must have a reasonable construction."

"That which is implied in a Statute, is as much a part of it as what is expressed."

(Dwarris on Statutes. Potter's Edition, pp. 144 and 145.)

Having come to the above conclusion it is unnecessary to go further; for even if I should find that the Fire Department was a quasi-corporation, the writ should not issue. Section 44, p. 593, Compiled Laws, reads: "Where the Legislature has granted to a corporation the right to determine the validity of the elections of its members or officers, a writ shall not be issued for the purpose of inquiring into that fact."

The demurrer is sustained on the first ground, and the motion to quash the writ issued is granted with costs.

W. A. Kinney for plaintiff; F. M. Hatch for defendant.
January 14th, 1890.

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Certificate of Registration of Copyright.

DEPARTMENT OF THE INTERIOR,
HONOLULU, HAWAIIAN ISLANDS.

KNOW ALL MEN BY THESE PRESENTS, that in accordance with the provisions of Section 2 Chapter 3 of the Session Laws of 1888, JAMES J. WILLIAMS has filed in the office of the Minister of the Interior an application for a Certificate of Copyright for a Photograph of Natives Eating Poi, which said application is accompanied by the Oath of the said applicant that he is the original and first author of said Photograph.

Now, therefore, this Certificate is to grant unto the said James J. Williams, his heirs or assigns for the term of Twenty Years from the twenty-second day of April, one thousand eight hundred and ninety, the exclusive right to print, reprint, publish, use and vend the said Photograph throughout the Hawaiian Kingdom.

In witness whereof I have caused this Certificate to be issued at Honolulu, this 22d day of April, A. D., 1890, and the Seal of the Department of the Interior to be hereunto affixed.

[L. S.] L. A. THURSTON,
Minister of the Interior.

97-4c 1320-8c

Certificate of Registration of Copyright.

DEPARTMENT OF THE INTERIOR,
HONOLULU, HAWAIIAN ISLANDS.

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[L. S.] L. A. THURSTON,
Minister of the Interior.

NOTICE.

NOTICE IS HEREBY GIVEN THAT I have this day sold all my right, title and interest in my present line of business as Merchant Tailor and Dry Goods Dealer, at No. 69 Nuuanu street, Honolulu, to Goo Kim & Co.

All accounts due to or owed by me prior to 1st May, 1890, must be paid to or by me. 1321-2c 103-1w

GOO KIM.

RUPTURE

"DR. PIERCE'S MAGNETIC ELASTIC TRUSS" is the only Truss in the world. No Iron Hoops or Steel Springs! Easy to wear. This celebrated Truss has radically cured thousands of patients. Establish 1875. Perfect fitting trusses sent to all parts of the world and we guarantee safe delivery. For full particulars apply to Publisher No. 1, Address, No. 2, Truss Co., U. S. A., For Full Use our New Instrument for Home Treatment. Price, \$5 or \$6.50.

New Advertisements.

IS IT SUICIDE?

Mark Twain tells the story: that at the inquest held on the body of Buck Fanshaw—who during the delirium of a raging typhoid fever had taken arsenic, shot himself through the body, cut his throat, and jumped out of a four-story window, breaking his neck—the jury, after due deliberation, sad and fearful, but with intelligence unblinded by its sorrow, brought in a verdict of "death by the visitation of God."

Buck undoubtedly committed suicide, and so does every one who neglects the first symptoms of approaching sickness and disease. Nature always gives ample notice of any disturbance of physical processes; sometimes it is neuralgia, sometimes a sharp shooting pain in the abdomen or side, or a dull or throbbing headache; no two persons get the same symptoms. What you have to do is to attack the first symptoms, for if consumption, dropsy, cancer or Bright's disease once gets a start, you cannot stop its headlong course to the grave. These are facts there is no disputing, for all the medical skill in the world cannot do much for you when real organic disease has set in.

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Very respectfully yours,

(Signed) A. MOORE,

Manager Pauha Plantation.

HEKIA, Sept. 28, 1889.

Ma. JOHN DYER, Agent Ridson Iron Works, Honolulu.

DEAR SIR: Please ship me one of your 30-chambered Filter Presses, 30 square feet surface, same as the one supplied us last season, which I am pleased to say has given us entire satisfaction.

Yours truly,

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Manager Heia Agricultural Co.

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